IN THE HIGH COURT OF JUDICATURE AT PATNA
FA No.31 of 2001
MD.REYAJ & ANR
Versus
THE STATE OF BIHAR
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18. 07.07.2008 The appeal stood dismissed on 7.3.2006 for non-compliance of the peremptory order dated 24.1.2006. No application for restoration appears to have been filed thereafter.

I.A. No. 2301 of 2007 has been filed on 12.4.2007 for substitution of appellant no. 1, who is stated to have died on 12.2.2007 long after the appeal stood dismissed for non-compliance. The substitution petition makes no prayer for restoration of the appeal along with the prayer for substitution. So long as the appeal is not restored, the question of substitution does not arise. The matters are integrally linked. Till the same is done, the matter stands concluded by the order dated 24.1.2006.

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AKS/ **(Navin Sinha, J.)**